

FOREPERSON'S STATEMENT

When I sat down to write this, I had four basic points that I wanted to address. I promised myself that I would keep it short, to the point and easy to read. Hopefully I have done that.

#1 What does a Grand Jury do?

In my two years on the San Luis Obispo County Grand Jury, this is by far the most common question that I have encountered. Why? Grand Juries in California were established by state statutes dating back to the 1880's – which means that Grand Juries have been around for about 130 years. Every county in California (there are 58) has a grand jury and each grand jury has 11, 19 or 23 jurors (the actual number depends on population – in San Luis Obispo County the jury has 19 members). Do the math: 58 counties times 130 years times say an average of 19 jurors – that is a big number! Someplace, there has to be an easy answer to this question.

I won't detail the research that I did in trying to find the “answer.” I will admit to a bit of computer-based research, conversations with current and former grand jurors and a few minutes in the local library. Nothing met my goals – short, to the point and easy to understand. Imagine the surprise when I finally found my answer – real close to home. Maryellen Simkins, in the *2007-2008 San Luis Obispo Grand Jury Final Report* wrote:

“The Grand Jury's charge is to shine a light on community government in order to educate and to improve both government and citizens.”

The next time someone asks me “What does a Grand Jury do?” ... that is my answer.

#2 How do they do it?

In San Luis Obispo County, each June, nineteen individuals are selected by the Superior Court from among a pool of citizen volunteers to serve for a full year as members of the Grand Jury. One of those selected is appointed by the court as Foreperson. All are sworn in and instructed in

their charge by the presiding judge. This is how the Grand Jury gets “started.” How it gets “formed” is a genuinely interesting process.

The mixture of new jurors – experience, talent, aptitude, work ethic, ability, desire, interest, race, sex and background – is different every time. Most are retired. A small few have served on prior grand juries, but most have no grand jury experience. Most have never conducted an investigation of any kind. Some are good with numbers. Some are good with words. Some have computer skills – some do not. It is definitely a diverse group.

The first month of each term is spent in training. Much of the training is in-house and includes presentations by a variety of officials from city and county government as well as court officials. There is a 2-day offsite training session conducted by the California Grand Jurors Association. All of the training centers on the Grand Jury Handbook which contains the operating procedures and penal code information that is needed to make the grand jury function. The Grand Jury Handbook is a “living” document in that it is updated annually by the outgoing grand jury and passed on to the incoming grand jury as a guideline for operations.¹

After the initial training is completed, the Grand Jury begins its work by reviewing citizen complaints that have been received and discussing areas of juror interest that might become the subject of an investigation. That does not, however, mean that every complaint and every juror area of interest will result in a formal investigation and report. In order to get anything done, the Grand Jury must limit itself to a finite number of topics. Unfortunately, confidentiality concerns and state law prevent us from sharing our deliberations in any manner, other than a written report. I would, however, like to assure every citizen who has submitted a complaint that your complaint was discussed and reviewed by the entire Grand Jury.

The ultimate work product of the Grand Jury is the Final Report – this document. It is very important to the Grand Jury because while we have extensive powers of investigation, we have very limited enforcement capabilities. As was earlier mentioned, our role is to “shine a light on

¹ Copies of the Grand Jury Handbook are available on the Grand Jury’s website: www.slocourts.net/grand_jury

community government.” Agencies are required, by law, to respond to our findings and recommendations, but they are not required to agree with or to implement them. The true power of the Grand Jury – our ability to make a difference – is through public opinion. Our reports and the Agency responses are public documents.

#3 Bumps in the Road

The progress and accomplishments of this year’s Grand Jury were fairly typical – both for a Grand Jury and for a dynamic group of 19 widely diversified individuals. We experienced a few minor hiccups during our term. New friendships were formed. Some lessons on group dynamics were learned. A couple of mutual admiration relationships were established. And, unfortunately, some left with a few names that definitely will not be added to their Christmas card list. But, overall, this Grand Jury should be proud of its collective accomplishments. We did our job well, and most importantly we have contributed something to the community in which we live.

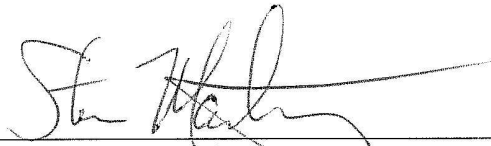
One incident during the year, however, remains troubling to me. In January, a citizen complaint was received which contained accusations against both a prior grand jury and against some of the basic tenets of the grand jury process. My personal opinion is that the primary basis of the complaint was ‘sour grapes.’ However, as I and several others, had served on the grand jury in question, the decision was made to forward the complaint, without recommendation or comment, to next year’s Grand Jury. They may rule on the merits of the complaint.

#4 Personal Notes

As Foreperson of the jury, I would like to take this opportunity to recognize several individuals for their significant contributions:

- Scott Mishoulam and Ted Gauldin – our ‘go to’ guys. In addition to their work on the Grand Jury they spent a couple of weekends cleaning out our storage facility
- Larry Lynch and Harry Sharp – for their extraordinary press releases
- Kate Shurson – whose editorial work and syntax checking earned her the nickname of “Ms. Persnickety”

- Eli Barbour and Jesse Ponce – Eli's artistic sense and Jesse's artistic ability contributed greatly to this report
- Sylvia Martinez – our Administrative Assistant. Imagine a job where you get 19 new bosses every year ... but she is still smiling.



Steve Martinez, Foreperson
2009-2010 San Luis Obispo Grand Jury